

Panaji, 12th July, 1990 (Ashada 21, 1912)

SERIES II No. 15

OFFICIAL GAZETTE

GOVERNMENT OF GOA

GOVERNMENT OF GOA

Department of Personnel

Order

No. 7-5-74-PER

Dr. V. J. Monteiro, Professor of Anatomy, is appointed as Dean, Goa Medical College, Panaji, on adhoc basis with effect from 2nd July, 1990 (FN) after Dr. G. J. S. Abraham, present Dean, Goa Medical College retires on 1.7.1990 (AN).

2. The above appointment is for a period of six months or till the post is filled on regular basis, whichever is earlier.

3. The above appointment shall not bestow on the Officer any claim for regular appointment.

By order and in the name of the Governor of Goa.

N. P. Gaunekar, Joint Secretary (Personnel).

Panaji, 29th June, 1990.

Order

No. 1/21/87-PER

Read: Order of even number dated 31/1/1990.

On expiry of his period of extension in service granted vide order referred to above, Shri V. M. Dessai, Deputy Director of Education officiating as Director of Education, is hereby re-employed as Director of Education with effect from 4-7-1990 for a period of six months or till the post is filled on regular basis whichever is earlier.

2. On his re-employment his pay shall be fixed as per Rules.

3. The above re-employment of Shri V. M. Dessai is subject to termination after one month's notice at any time during the period of re-employment.

By order and in the name of the Governor of Goa.

A. V. Pimenta, Under Secretary (Personnel).

Panaji, 3rd July, 1990.

Home (General) Department

Order

No. 9-15/87-HD(G)

Read: Government order No. 9-15/87-HD(G) dated 18-7-1989 constituting the Composite Board of visitors for Central Jail, Aguada and Sub-Jail Reis Magos.

Government is pleased to appoint Shri Suresh V. Parulekar, M.L.A. from Calangute constituency as a Non-Official Member of the composite Board of visitors for Central Jail, Aguada and Sub-Jail, Reis Magos with immediate effect in place of Shri Shrikant K. Malik who has ceased to be a Member of the Legislative Assembly.

2. Government is further pleased to appoint Shri Vinayak V. Naik, M.L.A. as Non-Official Member of the above mentioned Board with immediate effect in place of Shri J. B. Gonsalves, M.L.A. who has since been appointed as Cabinet Minister.

By order and in the name of the Governor of Goa.

K. A. Satardekar, Under Secretary (Home).

Panaji, 29th June, 1990.

Education Department

Order

No. 22/2/90-EDN

Shri S. M. Tadolkar, is appointed temporarily on ad-hoc basis as lecturer in Konkani-Marathi in Government College of Arts and Commerce, Khandola under Directorate of Education with effect from 20-6-90 (B.N.) in the scale of Rs. 2200-4000/- plus the usual allowances admissible from time to time with the initial pay of Rs. 2200/- p.m.

The appointment is subject to the conditions specified in the Office Memorandum No. 21/11/89/EDN dated 5-10-89 and the Rules and Regulation laid down by the Government from time to time.

The appointment is for a period of six months and purely on ad-hoc basis and it will not bestow on the appointee any claim for regular appointment, promotion to the higher post and seniority and will be liable to be terminated by one month's salary in lieu of notice.

The appointment is liable for termination in case the character and antecedents of the appointee are adverse so as to disqualify him from the holding of a post under Government.

By order and in the name of the Governor of Goa.

A. P. Panvelkar, Under Secretary (Education).

Panaji, 25th June, 1990.

Order

No. 15/7/89-EDN

Read:- 1. Govt. Order No. 15/1/88-EDN(Part file) dated 8.1.1990.

2. Govt. Order No. 15/7/88-EDN dated 8.1.1990.

Sanction of the Government is hereby conveyed for extension of ad-hoc appointment of Miss Ratna Jyothi D. and Smt. Parvathi H. Rao, Lecturers in Goa College of Home Science, Bambolim for a further period ending 31st December, 1990 or till the posts are filled up on regular basis whichever is earlier.

By order and in the name of the Governor of Goa.

A. P. Panvelkar, Under Secretary (Education).

Panaji, 2nd July, 1990.

Department of Cooperation

Corrigendum

No. 10-13(31)/90-Coop

Read:- Govt. Order No. 10-13(31)/90-Coop dated 16.5.1990.

In the above referred Government order the date of relief from service of Shri R. P. Pednekar, Jr. Chemist (Group 'B' non Gazetted) appearing in the 7th line of para 1 shall be read as 1.6.1990 (F. N.) instead of 31.5.1990.

By order and in the name of the Governor of Goa.

D. N. Accawade, Under Secretary (Coop.).

Panaji, 27th June, 1990.

Revenue Department

Order

No. 26/7/85-RD

The Government of Goa is pleased to order transfer of the below mentioned Mamlatdar for Record of Rights, in the Directorate of Land Survey, with immediate effect, in public interest.

Sl. No.	Name of the officer	Present posting	Posted on transfer
1	2	3	4
1.	Shri M. P. Sa-lalkar	Mamlatdar for Record of Rights, South, Margao.	Mamlatdar for Record of Rights, North, Panaji.
2.	Shri U. V. S. Barad	Mamlatdar for Record of Rights, North, Panaji.	Mamlatdar for Record of Rights, South, Margao.

Shri U. V. S. Barad, Mamlatdar for Record of Rights, North, Panaji, shall move first and hand over charge to Shri B. Carvalho, Assistant Survey and Settlement Officer and relieve Shri M. P. Salelkar from the post of Mamlatdar for Record of Rights, South.

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue) to the Government of Goa.

Panaji, 13th June, 1990.

Notification

No. 22/160/89-RD

Whereas by Government Notification No. 22/160/89-RD dated 10-11-89 published on page 446-447 of Series II, No. 35 of the Official Gazette dated 30-11-89 and in two newspapers (i) Goencho Avaz dated 21-11-89 and (ii) Rastamat dated 21-11-89 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), that the land specified in the Schedule appended to the said Notification, (hereinafter referred to as the said land), was likely to be needed for public purpose, viz. Land Acquisition for const. of D2 Distributory of SIP Main Canal Davorlim at St. Jose de Areal combined form Ch. 4.8 to 11.6 kms. (Addl. area).

And whereas, the Government of Goa (hereinafter referred to as the "Government") being of the opinion that the acquisition of the said land is urgently necessary, hereby applies the provisions of sub-section (1) and sub-section (4) of section 17 of the said Act and directs that the Collector appointed under paragraph 2 below, shall, at any time, on the expiry of fifteen days from the date of the publication of the notice relating to the said land under sub-section (1) of section 9 of the said Act, take possession of the said land.

Now, therefore, the Government hereby declares, under the provisions of section 6 of the Act, that the said land is required for the public purpose specified above.

2. The Government also hereby appoints, under clause (c) section 3 of the said Act, the Special Land Acquisition Officer, S.I.P. I.D. Complex Gogal Margao to perform the functions of the Collector for all proceedings hereinafter to be taken

in respect of the said land and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Special Land Acquisition Officer, S.I.P. I.D. Complex Gogal Margao till the award is made under section 11.

SCHEDULE

(Description of the said land)

Taluka: Salcete		Village: Davorlim
Survey No. Sub. Div. No.	Names of the persons believed to be interested	Area in sq. mts.
1	2	3
49/3 part	Comunidade of Davorlim. T: Pascoal Dias.	10.00
"/24 part	Comunidade of Davorlim. T: Jose Mirand.	25.00
"/31 part	Comunidade of Davorlim. T: Peade Furtado.	40.00
"/32 part	Comunidade of Davorlim. T: Pascoal Nias.	50.00
"/37 part	Comunidade of Davorlim. T: Doming Nias.	5.00
"/10 part	Comunidade of Davorlim. T: Paulo Rebello.	70.00
"/11 part	Comunidade of Davorlim. T: Minim Culaso.	85.00
50/22 part	Comunidade of Davorlim. T: Anton Fernandes.	30.00
"/23 part	Comunidade of Davorlim. T: Agostinho Nias.	50.00
"/25 part	Comunidade of Davorlim. T: Doming Miranda.	25.00
"/26 part	Comunidade of Davorlim. T: Doming Nias.	60.00
"/5 part	Comunidade of Davorlim. T: Izabel Miranda.	110.00
"/6 part	Comunidade of Davorlim. T: Caitan Colaco.	125.00
"/27 part	Comunidade of Davorlim. T: Joaquim Furtado.	120.00
51/1 part	Comunidade of Davorlim. T: Andrew Colas.	175.00
"/2 part	Comunidade of Davorlim. T: Francisco Colas.	175.00
"/29 part	Comunidade of Davorlim. T: Maria Dias.	75.00
"/30 part	Comunidade of Davorlim. T: Anton Mirand.	75.00
"/32 part	Comunidade of Davorlim. T: Anton Mirand.	30.00
"/33 part	Comunidade of Davorlim. T: Maria Dias.	30.000
51/5 part	Comunidade of Davorlim. T: Costao Mirand.	120.00
"/6 part	Comunidade of Davorlim. T: Joao Nias.	125.00
"/7 part	Comunidade of Davorlim. T: Doming Mirand.	300.00
"/8 part	Comunidade of Davorlim. T: Maria Borgos.	375.00
"/31 part	O: Manuel Costa.	70.00
"/24 part	Jaidev Shirodkar.	180.00
52/3 part	Comunidade of Davorlim. T: Pedro Colas.	225.00
"/17 part	Comunidade of Davorlim. T: Jose Rocha.	140.00
"/18 part	Comunidade of Davorlim. T: Francisco Rocha.	150.00
"/20 part	Comunidade of Davorlim. T: Francisco Rocha.	75.00
"/21 part	Comunidade of Davorlim. T: Jose Rocha.	85.00
"/10 part	Comunidade of Davorlim. T: Caitan Costan.	380.00
"/11 part	Comunidade of Davorlim. T: Minguel Colaco.	540.00
"/12 part	Comunidade of Davorlim. T: Caitan Costan.	540.00
"/6 part	Comunidade of Davorlim. T: Luis Mirand.	500.00
"/19 part	Comunidade of Davorlim. T: Maryan Borges.	135.00

1	2	3
52/9 part	Comunidade of Davorlim. T: Maryan Borges. Juona Carvalho.	230.00
"/22 part	Comunidade of Davorlim. T: Juona Carvalho.	150.00
"/23 part	Comunidade of Davorlim. T: Maryana Borges.	125.00
<i>Taluka: Salcete Village: St. Jose de Areal</i>		
15/2 part	Felomino Rodrigues.	230.00
"/6 part	Comunidade of Curtorim. T: Mariano Loures Fernandes.	350.00
"/7 part	Comunidade of Curtorim. T: Pedro Faleiro.	1600.00
"/8 part	Comunidade of Curtorim. T: Alex Faleiro.	20.00
16/1 part	O: Patricio Rodrigues.	75.00
"/30 part	O: Patricio Rodrigues. T: Xavier Monteiro.	30.00
"/31 part	O: Patricio Rodrigues. T: Regin Faleiro	20.00
"/32 part	O: Patricio Rodrigues. T: Regin Faleiro.	5.00
"/33 part	O: Patricio Rodrigues.	80.00
"/14 part	O: Comunidade of Curtorim. T: Jose Colaco.	5.00
<i>Boundaries:</i>		
North: S. No. 49/3, 24, 31, 32, 10, 11, 50/22 to 24, 5, 6, 51/1, 2, 27, 28, 5 to 8, 31, 24, 52/3, 17, 18, 19, 6, 9 to 12 of Davorlim village, 15/2, 5, 6, 16/1, 30 to 33, 16/20, 14 of St. Jose de Areal village.		
South: S. No. 49/3, 24, 49/31, 32, 37, 20, 11, 50/25, 5 to 8, 51/31, 24, 52/3, 20, 21, 6, 22, 23, 9 to 12 of St. Jose de Areal village, 15/2, 7, 8, 16/1, 32, to 34.		
East: S. No. 16/14, 34 of St. Jose de Areal village.		
West: S. No. 49/30 of Davorlim village.		
Total		8325.00

By order and in the name of the Governor of Goa.
P. S. Nadkarni, Under Secretary (Revenue).
Panaji, 14th March, 1990.

Public Health Department

Order

No. 71/104/84-PHD

Whereas Shri Prabhakar A. X. Nagvenkar was appointed to the post of "Auxiliar Assalarido Da Secretaria" do Comissariado da Mocidade Portuguesa and had worked in the said office from 1-7-1961 to 28-12-1961;

And whereas on 29-12-1961 i.e. after liberation of Goa, Daman and Diu the said office was wound up and the services of Shri P. Nagvenkar were terminated;

And whereas subsequently Shri Prabhakar Nagvenkar was appointed to the post of "Porteiro" in the pay scale of Rs. 130-256 w.e.f. 8-1-1964 in the Ribandar Hospital attached to the Directorate of Health Services, Panaji on temporary basis on fixed preliberation pay scale of Rs. 266.66;

And whereas the post of 'Porteiro' was wrongly equated to that of 'Door Keeper' in the pay scale of Rs. 70-85 under the Absorbed Employees Act and consequently the pay scale of Shri Nagvenkar was down graded from Rs. 130-256 to Rs. 70-85;

And whereas the post of 'Porteiro' in other Government institutions e. g. in the then Directorate of Civil Administration, Panaji was equated to that of L.D.C. in the pay scale of Rs. 110-180 vide letter No. 1/34/69/GP dated 29-5-1969 of Ministry of Home Affairs, Government of India.

And whereas Shri Nagvenkar fulfils the requisites to be declared as "absorbed employees" under the Absorbed Employees Act;

Now, therefore, in accordance with the Absorbed Employees Act and Rules thereunder Government is pleased to equate the post of "Porteiro" held by Shri Prabhakar A. X. Nagvenkar in the Ribandar Hospital to that of L.D.C. in the then pre-revised pay scale of Rs. 110-180 with effect from 1-2-1966 and also to declare him as an absorbed employee and condone the break in his service from 29-12-1961 to 7-1-1964.

This issues with the concurrence of the Finance Department vide their U.O. No. FS/1398/90 dated 19-4-1990.

By order and in the name of the Governor of Goa.

L. J. Menezes Pais, Under Secretary (Health).

Panaji, 25th June, 1990.

Order

No. 8/3/87-II/PHD

Read: Order No. 5/32/87. EI/GMC dated 5.2.88.

The resignation tendered by Dr. (Miss) Maria Amita Fernandes, Demonstrator in Pathology, Goa Medical College, Panaji is accepted by Government and she is relieved with effect from 16.6.90 (F.N.).

There are no dues outstanding against her.

By order and in the name of the Governor of Goa.

L. J. Menezes Pais, Under Secretary (Health).

Panaji, 28th June, 1990.

Department of Mines

Order

No. 5/15/90-Mines

Whereas M/s Sociedade Timblo Irmaos Ltd. (hereinafter referred to as the 'said party') have vide their application dated 21-11-1988 sought the renewal of the mining lease bearing No. 10 of 1960 for extraction of Iron ore over an area of 74.8900 Ha. situated at village Colem and Sigao, Sanguem Taluka, State of Goa (hereinafter referred to as the 'said mining lease');

And whereas after scrutiny it is found that the said party have not submitted an approved mining plan as required under sub-rule (3) of rule 22 of the Mineral Concession Rules, 1960 (hereinafter referred to as the 'said rules');

And whereas a notice bearing No. 96/465/88-Mines, dated 9-2-1990 was issued to the said party as required under sub-rule (3) of rule 26 of the said rules;

And whereas the said party has failed to comply with the requirements of the said notice;

And whereas a notice bearing No. 5/15/90-Mines, dated 11-5-1990 was issued to the party calling upon them to attend the personal hearing in response to which their representative attended the said hearing. During the course of hearing the representative submitted his written submission wherein the party has given their no objection for rejecting their renewal application as the mine has no prospects of ore reserves;

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 26 of the Mineral Concession Rules, 1960, the Government of Goa hereby refuse to renew the said mining lease as the said party has failed to submit the approved mining plan.

Dharam Dutt, Secretary (Mines).

Panaji, 14th June, 1990.

Order

No. 5/18/90-Mines

Whereas M/s. Sociedade Timblo Irmaos Ltd. (hereinafter referred to as the 'said party') have vide their application dated 21-11-1988 sought the renewal of the mining lease bearing No. 20 of 1955 for extraction of Iron ore over an area of 98.4500 Ha. situated at village Darbandora, Sanguem Taluka, State of Goa (hereinafter referred to as the 'said mining lease');

And whereas after scrutiny it is found that the said party has not submitted an approved mining plan as required under sub-rule (3) of rule 22 of the Mineral Concession Rules, 1960 (hereinafter referred to as the 'said rules');

And whereas a notice bearing No. 96/461/88-Mines, dated 9-2-1990 was issued to the said party as required under sub-rule (3) of rule 26 of the said rules;

And whereas the said party has failed to comply with the requirements of the said notice;

And whereas a notice bearing No. 5/18/90-Mines dated 11-5-1990 was issued to the party calling upon them to attend the personal hearing in response to which their representative attended the said hearing. During the course of hearing the representative submitted his written submission wherein the party has given their no objection for rejecting their renewal application as the mine has no prospects of ore reserves.

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 26 of the Mineral Concession Rules, 1960, the Government of Goa hereby refuse to renew the said mining lease.

Dharam Dutt, Secretary (Mines).

Panaji, 14th June, 1990.

Order

No. 5/19/90-Mines

Whereas M/s. Sociedade Timblo Irmaos Ltd. (hereinafter referred to as the 'said party') have vide their application dated 21-11-1988 sought the renewal of the mining lease bearing No. 90 of 1953 for extraction of Fe/Mn ore over an area of 64.7100 Ha. situated at village Talauli, Sanguem Taluka, State of Goa (hereinafter referred to as the 'said mining lease');

And whereas after scrutiny it is found that the said party have not submitted an approved mining plan as required under sub-rule (3) of rule 22 of the Mineral Concession Rules, 1960 (hereinafter referred to as the 'said rules');

And whereas a notice bearing No. 96/458/88-Mines, dated 9/2/1990 was issued to the said party as required under sub-rule (3) of rule 26 of the said rules;

And whereas the said party has failed to comply with the requirements of the said notice;

And whereas a notice bearing No. 5/19/90-Mines dated 11-5-1990 was issued to the party calling upon them to attend the personal hearing in response to which their representative attended the said hearing. During the course of hearing the representative submitted his written submission wherein it is mentioned that the mining plan has been submitted to the Regional Controller of Mines, Indian Bureau of Mines, Margao for approval. In this connection it is submitted that sufficient time was given to the party to produce the approved mining plan. However, the party failed to submit the approved mining plan;

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 26 of the Mineral Concession Rules, 1960, the Government of Goa hereby refuse to renew the said mining lease as the said party has failed to submit the approved mining plan.

Dharam Dutt, Secretary (Mines).

Panaji, 14th June, 1990.

Department of Labour

Order

No. 28/37/89-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Antonio Pereira and Company and their workmen represented by the Goa Trade and Commercial Workers' Union, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

"Whether the following demands raised by the Goa Trade and Commercial Workers' Union before the management of M/s. Antonio Pereira and Company, Sancoale, are justified?"

DEMANDS

Demand No. I:

(a) *Pay Scales*: It is demanded that the following pay scales be made applicable to the workmen employed at M/s. Antonio Pereira and Company as per their respective designations.

Grade	Designation	Pay Scales		
I	Welder, Cutter, Fitter, Supervisor,	850-30-1000-40-1200-50-1650.		
		5	5	7
II	Helper.	725-25-850-30-1000-40-1200.		
		5	5	5

(b) *Flat Rise*: It is demanded that each workman be given a flat rise of Rs. 250/- per month on the basic salary as on 1-12-1988. After adding this flat rise of Rs. 250/- as per the respective grade each workman's basic be fitted in the respective scale of pay.

Demand No. II:

Fixed Dearness Allowance (FDA): It is demanded that each workman be paid a fixed dearness allowance of Rs. 200/- per month.

Demand No. III:

Variable Dearness Allowance: It is demanded that each workman be paid a Variable Dearness Allowance @ Rs. 1.50 per point rise over the above 600 points (1960=100) to be revised every quarter.

Demand No. IV:

House Rent Allowance: It is demanded that each workman be paid a House Rent Allowance @ 10% on the basic salary each month.

Demand No. V:

Uniforms and Washing Allowance: It is demanded that each workman be issued two pairs of uniforms and paid Rs. 30/- per month towards washing allowance.

Demand No. VI:

Leave Facilities: It is demanded that each workman be given the following leave facilities:

Privilege Leave	30 days per annum.
Casual Leave	10 days per annum.
Sick Leave	10 days per annum.
Holidays	12 days per annum.

If not, to what relief the workmen are entitled?"

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 9th August, 1989.

Order

No. 28/51/89-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Kamat Industries, Sancoale Industrial Estate, Zuarinagar, Goa, and their workmen represented by the Goa Trade and Commercial Workers' Union in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

"Whether the following demands raised by the workmen represented by the Goa Trade and Commercial Workers' Union on the management of M/s. Kamat Industries, Sancoale, are justified.

DEMANDS

Demand No. I:

Flat Rise: It is demanded that each workman be given a FLAT RISE of Rs. 250/- in the basic salary per month in addition to the existing basic as on 30-6-1988.

Demand No. II:

Variable Dearness Allowance: It is demanded that each workman be paid Variable Dearness Allowance (VDA) at the rate of Rs. 1/50 per point rise over and above 600 (1960-100). The VDA payable be computed and revised every quarter in the year.

Demand No. III:

House Rent Allowance: It is demanded that each workman be paid a House Rent Allowance of Rs. 150/- per month.

Demand No. IV:

Travelling Allowance: It is demanded that each workman be paid a Travelling Allowance of Rs. 150/- per month.

Demand No. V:

Uniforms and Washing Allowance: It is demanded that each workman be given two pairs of Uniforms and be paid a sum of Rs. 25/- per month towards washing allowance.

Demand No. VI:

Leave Facilities: It is demanded that each workman be given 30 days Privilege Leave, 10 days of Casual Leave, 10 days of Sick Leave and 11 holidays per annum.

If not, to what relief the workmen are entitled?"

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 26th September, 1989.

Order

No. 28/2/88-LAB

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Dispute Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 23rd April, 1990.

IN THE INDUSTRIAL TRIBUNAL
GOVERNMENT OF GOA
AT PANAJI

(Before Shri S. V. Nevagi, Hon'ble Presiding Officer)

Ref. No. IT/18/83

Workmen

V/s.

M/s. Xaverian Press Training School.

Workmen represented by Shri N. J. Rebello.

Employer represented by Adv. G. K. Sardessal.

Panaji, Dated: 12-3-1990.

AWARD

This is a reference made by the Govt. of Goa by its order No. 28/39/82-ILD dated 18-3-83 with an annexure scheduled thereto which reads as follows:

"What wages the workmen, employed by M/s. Xaverian Press Training School, Pilar, Ilhas-Goa, are entitled to, in accordance with Justice Palecar's Award for journalists and non-journalist employees in newspaper establishments, as accepted by Government of India?"

After the above Government reference was received and registered in this office on 23-3-83 notices were issued to the parties. The employer filed the Written Statement on 29-7-83 wherein it is contended in para 3 that the commission popularly known as Palecar's commission had made interim recommendations granting interim relief to the newspaper employees. As such the Government of India directed newspaper establishment in the country. Subsequently the Palecar commission submitted its recommendations in the form of its Award. The Government thereafter made certain modifications in the formula for the payment of V. D. A. and directed the newspaper establishment all over the country to implement the Palecar award as modified by the Government.

Thereafter two wage boards were constituted by the Government. The first wage board related to newspaper employees and the second wage board was for non-journalist employees working in the newspaper establishments in the Country. According to Party II the wage boards submitted their recommendations in due course and the recommendations were binding upon the employer so far as the journalist employees were concerned, but the recommendations of the non-journalist wage board were only by way of recommendations and were not statutorily binding upon the employer in the newspaper industry.

Thereafter the management started discussions with the union on issue of implementation of the said Award and the management not knowing full implications of the award started paying wages to the employees on higher rate. Thereafter the management wanted to reconsider the position with reference to the fitment formula shown by the union which was not correct according to the management. According to the management the position would be clear only when the statement in respect of fitment of each workman is prepared by both the parties separately and submitted to the Tribunal. The management further averred that all along it was ready and willing to abide by the decision of the Government of India in regard to award of Palecar Commission. The management desired that correct interpretation of the award be made and it can be seen whether the management was paying the employees more than required as provided in the Palecar Award. These were some of the basic contentions taken by the management.

Thereafter the management accepted the suggestion of appointing some commission and Shri K. B. Manerkar was appointed as a Commissioner and this Commissioner filed his report and later on he was examined before my Predecessor as a witness on 22-1-86. Thereafter the matter was adjourned sine die since 17-6-86 due to retirement of my Predecessor and the matter came up before me and being adjourned from time to time. Even the matter was argued on 23-9-89 and the matter was posted before me for passing an Award. Subsequently at the request of Shri G. K. Sardesai the learned Counsel for the Party II Employer I again fixed the matter for arguments and finally the matter was fixed before me today for arguments.

While this was the position the two parties filed an application before me informing me that the dispute is in a way settled between the Party I Union and Party II

Employer mainly because the management is admittedly paying the wages to its employees as per the recommendations of Justice Palekar Award. This was stated before me at the time of the oral statements regarding the circumstances under which the joint application came to be filed before me. This was the only point of controversy in the Government reference and as the controversy no more exists I pass the following order.

ORDER

It is hereby held that the workmen employed by M/s. Xaverian Press Training School, Pilar are entitled to wages in accordance with Justice Palekar Award for journalist and non-journalist employees in newspaper establishments as accepted by the Government of India and as such the Party II employer has been paying the wages to its employees accordingly.

This being the position and as the wages are being paid in accordance with the Justice Palekar Award the reference is answered accordingly holding that the workmen are entitled to the wages as such.

There shall be no order as to costs.

Inform the Government accordingly about the passing of the Award.

S. V. Nevagi
Presiding Officer
Industrial Tribunal

Notification

No. 28/2/87-LAB

In exercise of the powers conferred by sub-section (2) of section 7 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa hereby appoints Shri M. A. Dhavale, retired District and Session Judge, Maharashtra, as the presiding Officer of the Labour Court constituted under Government Notification No. 1-107/72-LAB/930, dated 24.7.1973, from the date he assumes charge of the said Office, until further orders.

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 25th June, 1990.

Finance Department

Order

No. FIN-AIL-Draw Committee/6/89-90/515

In partial modification of Order No. FIN-AIL-Draw Committee/6/89-90/18 dated 18th May, 1990, the Government is pleased to make following modifications in the constitution of Draw Committee under Article 11 of the Agreement entered into between the Government of Goa and the Commercial Corporation of India Private Limited, Manipal, to run and

organise lottery on All India basis as the Goa State Lottery, executed on 21st December, 1989 as below:

1. Director (Providoria)-cum-Ex Officio Director (Lotteries) or his representative not below rank of Assistant Director.
2. Joint Director (Finance) or his representative not below the rank of Under Secretary in Finance Department.
3. Addl. Collector North Goa or his representative not below the rank of Dy. Collector.
4. Admn.-cum-Accounts Officer or his representative not below the rank of Assistant Accounts Officer.
5. Assistant Director of Lottery or his representative not below the rank of Assistant Accounts Officer.

This Order shall come into force with effect from, 1/7/1990.

By order and in the name of the Governor of Goa.

S. S. Byali, Ex-officio Dy. Secretary to the Government of Goa.

Panaji, 29th June, 1990.

Finance Commission Cell

Notification

No. 3-3-87-FCC

In pursuance of the recommendations of the Ninth Finance Commission, the Government is pleased to constitute a Committee under the Chairmanship of the Chief Secretary for Upgradation of Basic Administration Services in the State. The other members of the Committee will be as under:

- | | |
|-----------------------------|--------------------|
| 1. Development Commissioner | —Member. |
| 2. Secretary (Finance) | —Member. |
| 3. Secretary (G. A.) | —Member. |
| 4. Secretary (Revenue) | —Member. |
| 5. Secretary (Law) | —Member. |
| 6. Secretary (Health) | —Member. |
| 7. Director (F. C.) | —Member Secretary. |

An Officer of the Finance Commission Division, Ministry of Finance, New Delhi, will be invited to attend the meeting as a special invitee. The Committee may also invite any other expert as a special invitee.

2. The terms of reference of the Committee would be:

- (i) to assess the legitimate requirements for improvement and Upgradation of such administrative services as Training, Jails, Judiciary, Police and Revenue Administration.
- (ii) to recommend specific allocation for the said basic services in the annual non-Plan revenue expenditure of the State, and
- (iii) to monitor the progress in the improvement and Upgradation of the said basic services.

3. The Committee shall meet at least once in three months.

By order and in the name of the Governor of Goa.

R. S. Sethi, Secretary (Finance).

Panaji, 21st June, 1990.